

MALLOY, DAVIS & WHITE

ATTORNEYS AT LAW

SUITES 605-6 RORABAUGH-WILEY BUILDING

HUTCHINSON, KANSAS

Sept. 24, 1937

A. C. MALLOY, DECEASED
ROY C. DAVIS
WARREN H. WHITE
FRANK S. HODGE
WM. H. VERNON, JR.
EUGENE A. WHITE

Doctor F. C. Allen
University of Kansas
Lawrence, Kansas

Dear Doctor Allen:

Mr. Hunter, brought your letter and one from T.P. Jr. up to the office this morning so I thought I would write and tell you what progress we have made in getting T. P. Mr.'s residence established in Kansas. I note that what we have done is in accord with your suggestions.

The committee refused to allow T. P. to enter as a Kansas residence. Yesterday I called Henry Werner but was unable to get any satisfaction from him, except that the committee felt that the boy was merely trying to get ~~of~~ out of paying non-resident fees. I then had my call transferred to Prof. Brocklebank, who though not a member of the committee, had sat in on the meeting and had objected to the boys admission as a resident. Brocklebank, claims that the boys residence and domicile is where his parents are located. I claim that due to the fact that his parents are separated and have refused to care for the boy and being over seventeen he can have a different residence by declaring a new residence. After considerable more arguing it was agreed that Prof. Brocklebank, would ask the committee to reconsider this application. I then called Mr. Hunter and had him come up and sign an affidavit setting out the facts as I had related them to Brocklebank. I then sent this affidavit with a long letter to Brocklebank. In my letter I cited several Kansas cases which clearly show that such an exeption to the general rule as I claim is recognized by the courts of this state. I asked Brocklebank to hand this affidavit and letter to the committee so that they would have the complete story before them.

Personally, Dr., I think the boy is a resident of Kansas and that the law is on our side. The purpose of the guardianship papers was to show by a legal proceedings that he was a resident of this state. I finished my letter by stating that under the circumstance in this case the boy warrants receiving all benefit of any doubt.

You know as well as I do Dr. that they can let this boy in if they want to. I fully realizex your position in these matters so I have refrained from mentioning your name to either Werner or Brocklebank.

w;w

Yours truly,

Eugene A. White